

TTAB

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Applicant: Royal Treasury, LLC
Serial No: 78/095,710
Filed: November 29, 2001
Mark: BUMBLE
Our Ref: SURY 0107943

06-06-2003
U.S. Patent & TMO/TM Mail Rcpt Dt. #39

NOTICE OF APPEAL

Box TTAB
FEE
Director of the U.S. Patent and Trademark Office
2900 Crystal Drive
Arlington, Virginia 22202-3514

Applicant, by its undersigned attorney, hereby appeals to the Trademark Trial and Appeal Board from the decision of the Examiner of Trademarks refusing registration. Applicant is simultaneously filing a request for reconsideration of that decision, a copy of which is attached. Therefore, Applicant requests that this appeal be stayed while the trademark attorney considers that request.

A check for the \$100 official fee for a single-class application is attached. If this amount is incorrect, please charge any deficiency or overage to applicant's attorney's Deposit Account

No. 23-0825-0576900. 06/10/2003 SWILSON1 00000117 78095710
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Dated: New York, New York
June 4, 2003

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington Virginia 22202-3513 on:

June 4, 2003
(Date of Deposit)

Kirsten Ann Sadler
(Name of person signing Certificate)

Kirsten Ann Sadler
(Signature)

June 4, 2003
(Date of Signature)

Respectfully submitted,

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By: *Allison Strickland*
Allison Strickland
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New York, New York 10017
(212) 813-5900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Royal Treasury, LLC

Serial No.: 78/095,710

Jennifer Martin
Examining Attorney
Law Office 116

Filed: November 29, 2001

Mark: **BUMBLE**

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REQUEST FOR RECONSIDERATION

BOX RESPONSES

NO FEE

Director of the U.S. Patent and Trademark Office
2900 Crystal Drive
Arlington, Virginia 22202-3514

This is in response to the final Office Action that issued on December 4, 2002.

AMENDMENTS

1. Please make of record the attached signed declaration.
2. Please delete "plush toys" from the Class 28 identification of goods.

REMARKS

The Office Action made final a requirement for a signed declaration with a supporting statement for a Section 1(b) application. The necessary declaration is attached.

The Office Action made final a refusal under Section 2(d) based on U.S. Reg. No. 2,477,601 for the mark BUMBLE RIDER. As stated in the first Response to Office Action, applicant disagrees with the refusal; therefore it is not the case, as stated on the second page of the Office Action, that Applicant has made any concession as to the similarity of the marks.

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June 4, 2003
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Kirsten Ann Sadler
(Printed name of person mailing paper or fee)

(Signature)

June 4, 2003
(Date of Signature)

Referring to a telephone interview between Examining Attorney Martin and the undersigned on May 21, 2003, it has been agreed that the blocking citation will be withdrawn if Applicant deletes "plush toys" from its application. Applicant has done so. Therefore, the citation may now be withdrawn.

CONCLUSION

With the above, Applicant respectfully submits that all issues have been addressed and requests that the application be forwarded for publication.

Dated: New York, New York
June 4, 2003

Respectfully submitted,

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By: 

J. Allison Strickland
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